

REMARKS

Claims 1, 5-7, and 11-19 stand rejected under 35 U.S.C. 102(b) as being anticipated by Genheimer (U.S. Patent No. 5,801,899). In response, Applicants traverse the rejection because the cited reference does not teach or suggest, among other things, a disk writing unit that includes a spoiler.

The Examiner cites Genheimer. Genheimer has a snubber 100B or snubber arms 102A, as shown in FIG. 3, which is considered by the Examiner as being equivalent to a spoiler or a second member, as recited in independent claims 1, 11 and 17 of the present invention. However, Webster's Third New International Dictionary defines "snubber" as "d: SHOCK ABSORBER." A copy of the corresponding Webster page defining the snubber is attached for the Examiner's convenience. Genheimer supports this definition of a snubber by stating: "the snubber 100 protects the disk drive 10 from damage as a result of mechanical shocks provided to the disk drive 10." (Col. 4, lns. 30-32). That is, Genheimer discloses the snubber 100 and its arms as functioning as a shock absorber, and not functioning as a spoiler as in the present invention.

In contrast, claims 1, 11 and 17 of the present invention call for a spoiler having a given height in a direction perpendicular to the surface of the disk and extending above the surface of the disk, or an airflow-regulating member that regulates airflow due to disk rotation. Advantageously, the airflow-regulating member or spoiler decelerates air flow flowing over the surface of the disk, and regulates the air flow in an extending direction of

the spoiler or airflow-regulating member. This structure of the spoiler/airflow-regulating member reduces the influence of any wind disturbance on the positioning system. (See Applicants' specification, page 2, lns. 17-24).

The snubber and snubber arms recited in Genheimer serve a completely different purpose than the spoiler/airflow-regulating member or second member of the present invention, as recited in claims 1, 11 and 17. Genheimer teaches shock absorption, and not airflow regulation. That is, there is no teaching or suggestion in Genheimer that the snubber or its arms function to regulate airflow as the spoiler recited in claim 1, receive and regulate airflow regulated by a first member to prevent airflow from flowing toward an actuator, as recited in claim 11.

With respect to independent claim 17, there is no teaching or suggestion in Genheimer that an airflow-regulating member is "provided in proximity to a boundary between a first area wherein a wall of a housing of the disk run side by side with the peripheral edge of the disk in a second area where a distance between the inner wall and the peripheral edge becomes longer than in the first area." Thus, Genheimer fails to disclose or suggest "a spoiler," "a second member," and "an airflow-regulating member" as recited in the independent claims of the present invention. Therefore, withdrawal of the §102 rejection of claims 1, 5-7 and 11-19 is respectfully requested.

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Genheimer. The Examiner asserts that it would have been obvious to one having ordinary

skill in the art at the time of the invention was made to have provided a spacing of 5 mm or less between one end of the spoiler and a shroud. However, as stated above the snubber and arm of Genheimer do not operate as a spoiler, but rather as a shock absorber. Furthermore, Genheimer does not address the problem, let alone suggest a solution, for reducing an influence of wind disturbance caused by airflow generated by mechanical oscillation of the disk. That is, Genheimer does not teach or suggest reducing the influence of wind disturbance by using a spoiler, as in the present invention.

In contrast, the present invention reduces the influence of wind disturbance and advantageously teaches a distance of 5mm or less between an end of the shroud in a rotational direction of the disk and the surface of the spoiler. More specifically, Applicants disclose the advantage of the 5 mm or less distance as follows:

“Next, a description will be given of the results of the verification of the airflow regulation effect of each of the magnetic disk unit 1 of FIG. 1 and a magnetic disk unit 3 of FIG. 4. The verifications were made to clarify a relation between the airflow regulation effect and the positions of the shroud 70 and the spoiler 80. In FIG. 4, the same elements as those of FIG. 1 are referred to by the same numerals, and a description thereof will be omitted.

In the magnetic disk unit 3 of FIG. 4, both shroud 70 and spoiler 80 are provided, but the downstream end 71 of the shroud 70 and the air-receiving surface 81 of the spoiler 80 are separated by a distance of over 5

mm, which distance is longer than that in the magnetic disk unit 1. In the magnetic disk unit 3, airflow is regulated by the shroud 70, but is dispersed in various directions as indicated by arrows in FIG. 4 after passing by the downstream end 71 of the shroud 70. Since the airflow running into the spoiler 80 includes a turbulent component, the spoiler 80 is prevented from sufficiently decelerating and regulating the airflow. As a result, the high-speed airflow containing the turbulent component runs into and vibrates the actuator 50, thus causing a decrease in the head-positioning accuracy. From these verification results, it is concluded that the distance between the downstream end 71 of the shroud 70 and the air-receiving surface 81 of the spoiler 80 is preferably less than or equal to 5 mm". (Pg. 12, Ln. 26 to Pg. 13, Ln. 19).

Accordingly, the numerical limitation of 5mm or less between the end of the shroud and the rotational direction of the disk and the surface of the spoiler is a significant feature of the present invention. Applicants believe that it would not have been obvious based on the Genheimer reference to ascertain the 5mm or less distance because Genheimer does not disclose or teach reducing the influence of wind disturbance. Therefore, the criticality of the dimension of this feature is not relevant to Genheimer, which is instead concerned with shock absorption. For this reason, withdrawal of the §103 rejection of claim 4 is respectfully requested.

New claims 20-25 are added and recite further features of the present invention. More specifically, new claims 20-21 are generally claims 1 and 11 and include the feature that "the spoiler includes at least one tooth extending from the upright part toward the center of the magnetic disk and having a length between 1mm and 25mm." New claims 22 and 24 and their respective dependent claims 23 and 25 recite materials for forming the spoiler, as disclosed on page 10, lines 30-33 and page 15, lines 24-27 of Applicants' specification. Preferably, the material of the spoiler is harder than a material forming a recording medium or disk so that the spoiler vibrates less than the recording medium due to the air flow. In particular, the material of the spoiler is generally such that the recording medium is damaged whenever the recording medium comes into contact with the spoiler. Therefore, Genheimer would not be applicable since these materials would not assist with shock absorption. For these reasons, allowance of new claims 20-25 is earnestly solicited.

For all of the foregoing reasons, Applicants submit that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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Show vins 1: **TOPPER VINES** 2: show notes 1

show water 1: water from melted snow

Show-white V¹ 1: adj [MB moffen, fr. snuff, n.]: any of several oligochaete worms of the family Enchytraeidae found living in or on snow

Show wreath 1: dial Brit: snowdrift 2: a deciduous shrub (*Newtula abrahamii*) of the family Rosaceae native to Alsace that is cultivated for its white feathers. See also snowy 1
Showy V¹ 1: adj [MB moffen, fr. OB moffen, fr. moffen]: showy 2: showy 3: showy 4: showy 5: showy 6: marked by, abounding in, or covered with snow (the snowiest night of the year —Beverly Pidg.) 2: whitened by or as if by snow (the ground was still ~ with fallen petals —Eileen Glasgow) 7: showy-white (the beaches were of ~ coral sand —C.B. Nordhoff & J.N. Hall)

Showy campion 1: a perennial smooth herb (*Silene alpestris*) of the eastern U. S. with much-inflated calyx and white notched petals

Showy egret or snowy heron 1: a small white egret or heron (*Ardea herodias* or *Ardea alba*) that is about two feet long, ranges from the southern U. S. southward to Chile, and was formerly extensively hunted for its plumes

Showy lammom 1: **WILD LAMMOM**

Showy orchid 1: a slender fringed orchid (*Habenaria alpestris*) of eastern N. America with linear lipped leaves and white flowers

Showy owl 1: a large diurnal arctic owl (*Nyctea scandiaca*) that enters the northern parts of the U. S. and Europe in winter and has no ear tufts and plumage that is sometimes nearly pure white but with dark brownish spots

Showy plover n: a small plover (*Charadrius alexandrinus*) of the Gulf coast and the western parts of the U. S. and Mexico that is light gray above with a dark patch on the crown, sides of the head, and each side of the breast and has the underparts and portions of the head white

Showy tree cricket n: a pale greenish or whitish yellow tree cricket (*Oecanthus fultoni*) widely distributed in N. America

Showy tree lark 1: a small tree lark (*Chersophilus duponti*) of France

Showy vane 1: **SOFT VANE**

Showy vane 1: adj [Scand origin]: skin to ON *mudra* to scold, rebuke, and perh. to OHG *snubba* book — more at *snub* 2: to check or stop with a cutting retort or remark : restrain by reprimanding : rebuke (was quickly snubbed when he tried to tempt our neighbor to do as he humiliated or represes : ignore with disdain : slight designedly (the ambassador was obviously snubbed) (his suggestions were snubbed) (whose only concern was to make history and to ~ the history that had already been made —Jean Stafford); also : to affect in a specified way by such treatment (snubbed into silence) 3 & obs : to check or curb the growth or development of 4: chiefly dial : to break off the end of : to snub a branch or tree 5: West: *peccad* (~ castle) 3: to check suddenly (as a rope or chain that is running) (snubbed short, like a downstream trout when fairly hooked —Gentry Mag.) 4: to increase the tension of (as a rope or belt) by running around a post, pin, or pulley : TAUTEN 5: to check or restrain the motion of (as an animal or thing) by running an attached line around a post or other available anchoring point: (a horse to a tree) (as the larva jerked tight, the rider instantly snubbed it tight around the saddle horn —D.A. Brown) 6: intrans: SUPPRESS, RESTRAIN (air springs snubbed out all the undulating motion —Motor Life) 7: to extinguish (a cigarette) by stubbing —usu. used with out (snubbed the butt out in my saucer —Mickey Spillane) 8: to turn the end of (a line) around a post or other available anchoring point: (let the wagons down the steep slope by means of rope snubbed around trees —O.R. Stewart) (had snubbed the broom's end over in a saddle horn —Colin Lofting) 9: to enlarge (an undercut in a coal mine) by blasting or other means so that the coal falls forward when it is broken down — 10: 1: to snub someone or something : give snubs (the ability to ~ and to tell useful lies —R.H. Rovere) 2: to lie up about against a bank or wharf (one by one, the flatboats snubbed in at the bank —P.G. Stauthier) (a raft well piloted would outrun a flood and have to ~ in the bank and wait for the floodwater to catch up —R.G. Lillard) 3: to pull a restraining line up taut (when a wind came up, the boat began to ~) (the horse snubbed back from the hitchrack) 4: to enlarge an undercut in coal mining by blasting or other means so that the coal falls forward when it is broken down

Snub V¹ 1: ~ 1: an act or an instance of snubbing; esp: a rebuff or slight intended to charm a person or his activity (accepted every unjust rebuke and ~ as part of the day's routine —R.S. Porticus) 2: something that snubs: SNUBBING POST (do ~ in that corral —A.B. Outing) 3: [snub]: SNUB NOSE

Snub V¹ 1: adj 1: used in snubbing (~ rope) (~ line) 2: or snubbed: blunt, stubby, clumsy (allowed a flicker of indulgent amusement to show itself upon his ~ features —Guy McCrone) (a small pyramid) 4: ~ figure, rather flat and inelegant —Isaac Rosenfeld) —snub-nose 5: ~ 6: ~ (as in a small pyramid) 7: ~ 8: ~ (as in a small pyramid) 9: ~ 10: ~ 11: ~ 12: ~ 13: ~ 14: ~ 15: ~ 16: ~ 17: ~ 18: ~ 19: ~ 20: ~ 21: ~ 22: ~ 23: ~ 24: ~ 25: ~ 26: ~ 27: ~ 28: ~ 29: ~ 30: ~ 31: ~ 32: ~ 33: ~ 34: ~ 35: ~ 36: ~ 37: ~ 38: ~ 39: ~ 40: ~ 41: ~ 42: ~ 43: ~ 44: ~ 45: ~ 46: ~ 47: ~ 48: ~ 49: ~ 50: ~ 51: ~ 52: ~ 53: ~ 54: ~ 55: ~ 56: ~ 57: ~ 58: ~ 59: ~ 60: ~ 61: ~ 62: ~ 63: ~ 64: ~ 65: ~ 66: ~ 67: ~ 68: ~ 69: ~ 70: ~ 71: ~ 72: ~ 73: ~ 74: ~ 75: ~ 76: ~ 77: ~ 78: ~ 79: ~ 80: ~ 81: ~ 82: ~ 83: ~ 84: ~ 85: ~ 86: ~ 87: ~ 88: ~ 89: ~ 90: ~ 91: ~ 92: ~ 93: ~ 94: ~ 95: ~ 96: ~ 97: ~ 98: ~ 99: ~ 100: ~ 101: ~ 102: ~ 103: ~ 104: ~ 105: ~ 106: ~ 107: ~ 108: ~ 109: ~ 110: ~ 111: ~ 112: ~ 113: ~ 114: ~ 115: ~ 116: ~ 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*snuff V¹ vb -ED/-ING/-S [MB moffen, fr. snuff, n.]: to crop the snuff of (a candle) by pinching or by the use of snuffers so as to brighten the light. b: to extinguish: snuff out by the use of snuffers : make extinct : snuff out: kill —A.H. Raskin 2 ob: to clean, purify — 3: to become extinguished — usu. with out (just in case automation ~s out their jobs —A.H. Raskin) 3 ob: to clean, purify — 4: to perceive or detect by smelling — 5: to smell (the fragrance of the clover) (among the irises and roses . . . ~ing in . . . the delicious scent—Virginia Woolf) 6: to : to smell (the nose) — 7: to : to inhale through the nose noisily and forcibly : sniff or smell ineptly 8: to : to smell (the nose) — 9: to : to smell (the nose) — 10: to : to smell (the nose) — 11: to : to smell (the nose) — 12: to : to smell (the nose) — 13: to : to smell (the nose) — 14: to : to smell (the nose) — 15: to : to smell (the nose) — 16: to : to smell (the nose) — 17: to : to smell (the nose) — 18: to : to smell (the nose) — 19: to : to smell (the nose) — 20: to : to smell (the nose) — 21: to : to smell (the nose) — 22: to : to smell (the nose) — 23: to : to smell (the nose) — 24: to : to smell (the nose) — 25: to : to smell (the nose) — 26: to : to smell (the nose) — 27: to : to smell (the nose) — 28: to : to smell (the nose) — 29: to : to smell (the nose) — 30: to : to 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